

S. R. No. 98—By Senator Watson: Extending welcome to Miss Christie Merrick.

S. R. No. 99—By Senator Watson: Extending welcome to Dr. L. M. Morton and Kenneth Walker.

S. R. No. 100—By Senator Watson: Extending welcome to Max Sturdivant.

S. R. No. 101—By Senator Watson: Extending welcome to Bill Lewie and Herman Coleman.

S. R. No. 102—By Senator Watson: Extending welcome to Coleman Bailes.

S. R. No. 103—By Senator Watson: Extending welcome to Tony Price.

S. R. No. 104—By Senator Watson: Extending welcome to the Honorable Derwood Johnson.

Adjournment

On motion of Senator Aikin the Senate at 11:05 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

June 19, 1968

S. C. R. No. 7
S. C. R. No. 8
S. C. R. No. 9
S. C. R. No. 10
S. C. R. No. 11
S. C. R. No. 12

NINTH DAY

(Thursday, June 20, 1968)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Mauzy
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hardeman	Reagan
Harrington	Schwartz

Strong
Wade
Watson

Wilson
Word

Absent—Excused

Cole

Hall

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Brooks.

Message From the House

Hall of the House of Representatives
Austin, Texas,
June 20, 1968.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Motion to suspend all necessary rules for purpose of not concurring in Senate amendments to H. B. No. 5, prevailed.

The House refused to concur in Senate amendments to House Bill No. 5 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

S. C. R. No. 13, Congratulating and commending Clarence R. Cook on his appointment as Fire Chief of the Houston Fire Department.

H. C. R. No. 13, Commending Frank C. Erwin, Jr.

H. C. R. No. 14, Honoring the Honorable Henry B. Gonzalez.

H. B. No. 16, A bill to be entitled "An Act prohibiting the carrying of certain weapons while entering or being in a place where alcoholic beverages are served for on-premises

consumption; prescribing a penalty; providing exceptions; providing for the lesser included offense; and declaring an emergency."

H. B. No. 22, Authorizing the Comptroller of Public Accounts to transfer funds between items of appropriation made to the Comptroller by Senate Bill No. 15, 60th Legislature, Regular Session; providing for an effective date; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Notice of Executive Session

Senator Blanchard gave notice that he would on Monday, June 24, 1968, move for an Executive Session for 11:00 o'clock a.m.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 10, Honoring Miss Sherry Clements as governor for Bluebonnet Girls State.

H. C. R. No. 8, Congratulating the LCRA Board of Directors for their interest in the Boy Scouts of America.

Senate Concurrent Resolution 14

Senator Creighton offered the following resolution:

S. C. R. No. 14, Commending the Fort Worth Board of Education for receiving an award of highest distinction from the National Education Association.

Whereas, On May 14, 1968, the Fort Worth Board of Education received an award of highest distinction from the National Education Association; and

Whereas, This award cited the Fort Worth School Board as being the most outstanding school board in the entire nation among the large cities; in ceremonies held in Washington, D. C., the Association of Classroom Teachers of the NEA, in cooperation with the Thom McAn Corporation, presented the board with a check for \$2,500 and an especially designed sculpture of the lamp of learning; and

Whereas, This national recognition

is a great credit to the city of Fort Worth and to the entire State of Texas; in the Washington ceremonies, Congressman Jim Wright of Fort Worth said that he considered the award "a tribute to every member of the board and also to the school system and the community"; and

Whereas, The Mayor of Fort Worth, DeWitt McKinley, also had words of praise for the board, noting the fine job in personnel work, in building new schools, in taking the initiative 13 years ago to begin a program of integration which was successfully completed last year, and for the overall excellence of the board; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislature commend the Fort Worth Board of Education for meriting and receiving this prestigious award and congratulate each board member for bringing this honor to Fort Worth and to Texas; Loyd Turner, the president; Mrs. Carey Snyder, Mrs. Ronald Smith, Bill Elliott, Bill Crawford, Dr. James N. Walker, and the Rev. John R. Leatherbury; and, be it further

Resolved, That a copy of this Resolution be presented to the Fort Worth Board of Education to show the appreciation of the 60th Legislature for the outstanding performance of board members in the educational field.

The resolution was read.

On motion of Senator Creighton and by unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 14 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 14, Commending the Honorable Henry B. Gonzalez on his service to the State.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 7 on First Reading

The following bill was introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 7, A bill to be entitled "An Act to amend Article I, Section 5, Benefits, Subsection B, Allowance for Service Retirement, Paragraph 1; Subsection C, Disability Retirement Benefits for Appointive Officers or Employees, Paragraphs 2, 3, and 6; Subsection E, Return of Accumulated Contributions, Paragraphs 2, 3, 5, and 6; Section 6, Administration, Subsection A, State Board of Trustees, Paragraph 3; Section 7, Management of Funds, Subsection B; Section 12, Amount of Benefits; Creditable Service, Subsections A, B, C, and D; of H. B. No. 902 Regular Session, 58th Legislature; providing an effective date; repealing laws in conflict herewith; providing a savings clause; and declaring an emergency."

To the Committee on Jurisprudence.

Presentation of Guest

Senator Strong by unanimous consent presented Peyton McKnight of Tyler to the Members of the Senate and he was extended the privileges of the floor for the day.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 22, To Committee on Finance.

(Senator Aikin in the Chair.)

Senate Resolution 118

Senator Hardeman offered the following resolution:

Whereas, As anniversaries become milestones in the span of life, none is more important than that which is observed following the nuptials of young couples, often unaware of the vicissitudes awaiting them, as they sail the sea of matrimony; and

Whereas, Today is the 33rd milestone in the lives of the distinguished Lieutenant Governor, Honorable Preston E. Smith and his lovely and charming bride, Ima, who has been his faithful companion and helpmeet since they were united in marriage in Ralls, Texas, on June 20, 1935; and

Whereas, These native Texans established their home and launched their career in Lubbock where there was born a son, Preston Michael

Smith and a daughter Jan Lauren Smith, now the wife of Conrad Schmid of Lubbock. Preston Michael Smith, called "Mickey," is married to the former Miss Shirley Barrett of Dallas and they presented Governor and Mrs. Smith with their first and only grandchild, a girl named Kelly Michelle Smith, on the 236th anniversary of the birthday of our first President, who was also "first in war, first in peace and first in the hearts of his countrymen," and which granddaughter has brought much joy and delight to her proud grandparents; and

Whereas, With a successful business enterprise established, Governor Smith launched his career of public service to his country, his State and his county with service beginning with his election to the House of Representatives in 1944, his election to the Senate in 1956 and his election as Lieutenant Governor of Texas in 1962; and

Whereas, It is significant that in each of such offices he has served, or will have served by January next, for six year intervals, which may well be an omen of his anticipated service to Texas as our Governor, to which he has just been nominated to complete the six-year cycles of unselfish and patriotic service he has rendered for well over one-half of his married life; and

Whereas, It is the desire of the Senate of Texas to extend to this outstanding couple—Preston and Ima—its good wishes and the feeling of warm friendship it holds for these distinguished Texans on the occasion of their observance of their 33rd wedding anniversary; Now, therefore, be it

Resolved by the Senate of Texas that it does hereby extend its congratulations and good wishes to them and express its warm friendship and high regard for our beloved Lieutenant Governor and Mrs. Preston Smith and that a page in the Senate Journal be set aside for this resolution; that copies thereof be furnished Governor and Mrs. Smith and their children by the Secretary of the Senate, under the official Seal of the Senate, and that when the Senate adjourns today, it do so in honor of our distinguished President of the Senate and Mrs. Smith.

HARDEMAN.

Signed—Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole,

Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Brooks and by unanimous consent the names of the Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

The Members of the Senate gave Lieutenant Governor and Mrs. Smith a standing ovation.

The Presiding Officer appointed Senators Hardeman, Ratliff and Reagan to escort President and Mrs. Smith to the President's Rostrum.

The Presiding Officer presented Lieutenant Governor and Mrs. Smith to the Senate and requested Governor Smith to address the Senate.

The Lieutenant Governor addressed the Senate stating "I have never enjoyed anything more than my service in the Senate. It is something that we will never forget. Your kindnesses on this anniversary of ours will never be forgotten by Ima and me. Politics being as they are in our country we often disagree. We will always cherish each of you. We are grateful for the resolution and grateful to be associated with such a wonderful group of people."

(President in the Chair.)

At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate at 11:03 o'clock a.m. agreed to stand At Ease for a meeting of the Committee on Finance.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:09 o'clock, a.m.

Presentation of Guests

The President presented the Sherwood Baptist Church Singers from Odessa, Texas, as guests of Senator Hardeman.

On motion of Senator Blanchard,

and by unanimous consent, the Choir rendered musical selections for the pleasure of the Senate.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 16, To Committee on Jurisprudence.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,
June 20, 1968.

Hon Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 22, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

House Bill 22 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 22 was ordered not printed.

House Concurrent Resolution 13 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 13, Commending Frank C. Erwin, Jr., on his service to the State.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

House Bill 22 on Second Reading

Senator Aikin moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 22 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin

Bates

Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hardeman	Strong
Harrington	Wade
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

Absent—Excused

Cole Hall

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 22, Authorizing the Comptroller of Public Accounts to transfer funds between items of appropriation made to the Comptroller by Senate Bill No. 15, 60th Legislature, Regular Session; providing for an effective date; and declaring an emergency.

The bill was read the second time and was passed to third reading.

House Bill 22 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 22 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Patman
Christie	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hardeman	Wade
Harrington	Watson
Harris	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Cole Hall

Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolution:

S. C. R. No. 13, Congratulating and commending Clarence R. Cook on his appointment as Fire Chief of the Houston Fire Department.

Conference Committee on House Bill 5

Senator Aikin called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 5 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Aikin, Hardeman, Creighton, Herring and Word.

Recess

On motion of Senator Aikin the Senate at 11:21 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m.

Message From the House

Hall of the House of Representatives
Austin, Texas,
June 20, 1968.

Hon. Preston Smith President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House conferees for Conference Committee to consider the differences between the two Houses on H. B. No. 5: Heatly, Mutscher, Shannon of Tarrant, Slack, and Longoria.

H. B. No. 2, A bill to be entitled "An Act raising revenue for the operation of state government; amending Chapter 20, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, to increase the limited sales, excise and use tax; making the necessary conforming

amendments to the Local Sales, Excise and Use Tax Act (Article 1066c, Vernon's Texas Civil Statutes); providing certain exemptions; amending Chapter 6, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, to increase the sales and use tax on motor vehicles and to amend the definition of retail sale; including trading stamps within the definition of personal property that is subject to escheat; providing an effective date; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 2, to Committee on State Affairs.

Notice of Change of Executive Session

Senator Blanchard gave notice that he would move for an Executive Session at 11:45 o'clock a.m. on Monday, June 24, 1968, he having given notice this morning for 11:00 o'clock a.m. Session on Monday, June 24, 1968.

Memorial Resolutions

S. R. No. 107—By Senator Watson: Memorial resolution for Floyd A. Crow.

S. R. No. 108—By Senator Watson: Memorial resolution for Owen L. Goodnight.

Welcome and Congratulatory Resolutions

S. R. No. 105—By Senator Aikin: Extending welcome to Mr. and Mrs. Thomas B. Steely and sons, David and Jimmy.

S. R. No. 106—By Senator Herring: Extending welcome to sponsors and students from the Upward Bound Program of Huston-Tillotson College.

S. R. No. 109—By Senator Watson: Extending appreciation to Braz Walker for his many accomplishments as a lecturer and authority on rare fish.

S. R. No. 110—By Senator Watson: Extending congratulations to Dr. Jefferson D. Bragg on receipt of the Decoration for Distinguished Civilian Service from the United States Army.

S. R. No. 111—By Senator Watson: Commending Michael Caddell for his notable contributions to agricultural production in Texas.

S. R. No. 112—By Senator Watson: Extending congratulations to Coach Bill Menefee of Baylor University on his selection as basketball "Coach of the Year."

S. R. No. 113—By Senator Christie: Extending welcome to young Joseph Thomas Minniece and congratulations to his parents, Mr. and Mrs. John Minniece.

S. R. No. 114—By Senator Brooks: Commending the Houston Teachers Association on its first Political Action Clinic.

S. R. No. 115—By Senator Watson: Extending congratulations and appreciation to Mrs. George W. Cooksey for her many years of service as director of the McLennan County Tuberculosis Association.

S. R. No. 116—By Senator Watson: Extending congratulations to Mrs. Robert Young on her selection as a finalist in the Mrs. Texas-America contest.

S. R. No. 117—By Senator Watson: Extending congratulations to the Clifton Manufacturing Company on the receipt of the "Quality Award" from United States Armed Forces.

S. R. No. 119—By Senator Watson: Extending welcome to Dr. Gus Evans.

S. R. No. 120—By Senator Watson: Extending welcome to Mrs. N. A. Bryson and Mrs. Kenneth Manning.

S. R. No. 121—By Senator Bernal: Extending best wishes and appreciation for his service to David John Andrews.

S. R. No. 122—By Senator Brooks: Extending congratulations to the coaches and team of Pasadena High School Baseball Team for achieving second place in the Class 4-A State Finals.

S. R. No. 123—By Senator Hazle-

wood: Extending welcome to William Harold Harter.

Adjournment

On motion of Senator Aikin the Senate at 2:11 o'clock p.m. adjourned until 11:30 o'clock a.m. Monday, June 24, 1968.

APPENDIX

Sent To Governor

June 20, 1968

S. C. R. No. 13

TENTH DAY

(Monday, June 24, 1968)

The Senate met at 11:30 o'clock a.m. pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 20, 1968, was dispensed with and the Journal was approved.

Silent Prayer for Mrs. Mildred E. Mauzy

The President announced that Mrs. Mildred E. Mauzy, the mother of Senator Mauzy, had passed away on Saturday, June 22, 1968, and requested

the Senate to stand for a moment of silent prayer in her memory.

Message From the House

Hall of the House of Representatives
Austin, Texas,
June 24, 1968.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 4, Granting permission to Crestridge Oil Company and/or Blake Hamman of Tarrant County, Texas, to sue the State of Texas, The Texas Highway Department, and the Texas Highway Commission.

H. C. R. No. 16, Congratulating Lee Trevino on winning the 1968 U. S. Open Golf Championship.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bill and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bill and resolutions:

H. C. R. No. 13, Commending Frank C. Erwin, Jr., on his service to the State.

H. C. R. No. 14, Commending the Honorable Henry B. Gonzalez on his service to the State.

H. B. No. 22, Authorizing the Comptroller of Public Accounts to transfer funds between items of appropriation made to the Comptroller by Senate Bill No. 15, 60th Legislature, Regular Session; providing for an effective date; and declaring an emergency.

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
June 24, 1968.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 2, have had the same under consideration, and I am instructed to re-